

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

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BRIAN S. SHEVLIN, KEITH P. SHEVLIN,	:	
AND ERIN R. TAYLOR, ON BEHALF OF	:	
THEMSELVES AND THOSE SIMILARLY	:	
SITUATED,	:	Docket No. 09-cv-6323-MLC-TJB
	:	
PLAINTIFFS,	:	ECF Case
	:	
v.	:	
	:	
PHOENIX LIFE INSURANCE COMPANY AND	:	ORAL ARGUMENT
PHOENIX COMPANIES, INC.,	:	REQUESTED
	:	
DEFENDANTS.	:	
	:	
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DEFENDANTS' NOTICE OF MOTION FOR SUMMARY JUDGMENT
PURSUANT TO FED. R. CIV. P. 56

TO: Counsel for Plaintiffs

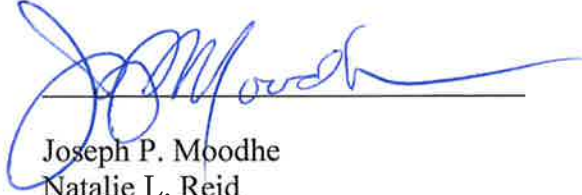
PLEASE TAKE NOTICE that, on January 21, 2014 or such other date and time as may be determined by the Court, the undersigned, attorneys for Defendants Phoenix Life Insurance Company and Phoenix Companies, Inc. (jointly, "Phoenix"), shall move before the Honorable Mary L. Cooper at the Clarkson S. Fisher Federal Building and U.S. Courthouse, 402 E. State Street, Trenton, New Jersey, for entry of an order granting Defendants' Motion for Summary Judgment and entering judgment for Defendants against Plaintiffs Brian S. Shevlin, Keith P. Shevlin, and Erin R. Taylor.

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Defendants shall rely upon the Statement of Undisputed Facts, supporting Brief, Declaration of Natalie L. Reid

and attached exhibits, Affidavit of Byron Frank, and the Affidavit of Vy Ho, all concurrently submitted herewith, along with any additional submissions made hereafter.

Dated: November 1, 2013

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "J. Moodhe", is written over a horizontal line.

Joseph P. Moodhe
Natalie L. Reid
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/s/ Sheldon M. Finkelstein

Sheldon M. Finkelstein
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